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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,720	05/24/2001	Mats Tuneld	42085-00028	2798
23932 7590 07/02/2004 JENKENS & GILCHRIST, PC 1445 ROSS AVENUE SUITE 3200 DALLAS, TX 75202			EXAMINER PAULA, CESAR B	
			ART UNIT 2178	PAPER NUMBER

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/864,720	TUNELD ET AL.	
	Examiner	Art Unit	
	CESAR B PAULA	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3/25/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the application, and IDS filed on 5/24/2001, and 3/25/2002 respectively.

This action is made Non-Final.

2. Claims 1-25 are pending in the case. Claims 1, and 13 are independent claims.

This is not an exhaustive list of any potential informalities. And Examiner requests that Applicant review the application carefully for other similar informalities including typographical errors.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 3/25/2002 has been entered, and considered by the examiner.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d), and based on PCT application # /CN00/00132 filed in China on 5/26/2000, which papers have been placed of record in the file. However, the certified copy of PCT application /CN01/00732 file in China on 5/10/2001 has not been received.

Drawings

4. The drawings filed on 11/21/2001 have been approved by the examiner.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claims 4, 6-12 recite the limitation "the manner of displaying" in claim 4, line 7. There is insufficient antecedent basis for this limitation in the claim. There is no previous "manner of displaying" in claim 1 or this claim.

8. Claims 6, and 12 are vague, because they recite that "string objects comprise (but not limit to)." claim 6, line 2. This is an open-ended limitation, which does not specify exactly all the items comprised in the claim.

9. Claims 8, and 12 recite "sort order criteria may be displayed simultaneously" claim 8, line 2. The word "may be" is very broad in this situation, since it may be displayed in any other possible way as well.

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10. Claims 11-12 are in a Markush format, which is not permitted, since it is an open ended format, using "comprising" (claim 11, line 2), instead of "consisting", please see MPEP 2173.05(h).

11. Claims 16, 18-19, and 21-25 recite the limitation "the manner of displaying" in claim 16, line 4. There is insufficient antecedent basis for this limitation in the claim. There is no previous "manner of displaying" in claim 1 or this claim.

12. Claims 18, 22-25 are vague, because they recite that "string objects comprise (but not limit to)." claim 18, line 2. This is an open-ended limitation, which does not specify exactly all the items comprised in the claims.

13. Claims 20, and 24-25 recite "sort order criteria may be displayed simultaneously" claim 20, lines 2-3. The word "may be" is very broad in this situation, since it may be displayed in any other possible way as well.

14. Claims 23-25 are in a Markush format, which is not permitted, since they contain an open ended format, using "comprising" (claim 23, line 2), instead of "consisting", please see MPEP 2173.05(h).

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Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

16. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Windows 98 Explorer screendumps, 1998, fig. 1-8.

Regarding independent claim 1, Explorer teaches a "Views" menu for selecting one of different ways of sorting directory strings (fig.1).

Moreover, Explorer teaches the sorting of the directory strings through the selection of a menu selection such as "List" selection (fig.2).

Regarding claim 2, which depends on claim 1, Explorer teaches a list of words-- *identifier*-- describing the various selections in the "Views" menu (fig.1). A user has the option of selecting one of the words in the menu to select different sorting criteria (fig.2). If none of the identifiers is chosen, then a default sorting criteria or order is used, such as the "Details" sorting criteria for the display of the directory strings (fig.1).

Regarding claim 3, which depends on claim 1, Explorer teaches that the "Details" sorting criteria is preselected by the user, such that when the explorer window is closed, and then opened

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again, the last criteria selected--*preselected before the window is opened again*-- by the user is the one used for the display of the directory strings (fig.1).

Regarding claim 4, which depends on claim 1, Explorer teaches further classifying the directory strings into groups according to large icons (fig.3).

Moreover, Explorer teaches selecting the "Program Files" group directory and displaying the string textual name or descriptions of the subdirectories within this directory using the "details" selection from the "Views" option, which is different than the "Large Icon" display of the program groups (fig.4-5).

Regarding claim 5, which depends on claim 1, Explorer teaches further classifying the directory strings into groups according to large icons (fig.3).

Moreover, Explorer teaches selecting the "Program Files" group directory and displaying the string textual name or descriptions of the subdirectories within this directory using the "details" selection from the "Views" option, and using the mouse cursor to select subdirectories, such as "accessories", which has a box around it (fig.4-5).

Regarding claim 6, which depends on claim 4, Explorer teaches selecting the "Program Files" group directory and displaying the string textual name or descriptions of the subdirectories within this directory by selecting and highlighting all the subdirectories text strings (fig.4-5, 8).

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Regarding claim 7, which depends on claims 4 or 5, Explorer teaches that different display options for the group of documents. These options have textual identifiers or names, such as "Large Icons". If no option is selected, then the system simply displays a default option, such as "Large Icons", which is different from the other options in the "Views" menu (fig.3).

Regarding claim 8, which depends on claim 7, Explorer teaches that the different display options for the group of documents are displayed simultaneously in a menu window. The directory textual names or descriptors are resorted once a grouping has been selected, such as "List", which is different from the other options in the "Views" menu (fig.3, and 8).

Regarding claim 9, which depends on claim 7, Explorer teaches that if no option is selected, then the system simply displays a default option, such as "Large Icons", which is selected before hand by the user (fig.3).

Regarding claim 10, which depends on claims 4, or 5, or 6, Explorer teaches the display of directories or group names—*identifiers*-- based on the number of directories stored in the computer (fig.3).

Regarding claim 11, which depends on any of claims 1-5, Explorer teaches a pc computer system for storing file directories, and displaying them in alphabetic order (fig.1).

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Regarding claim 12, which depends on any preceding claim, Explorer teaches the display of directories or group names, and file names, such as "config.sys" (fig.2-3).

Regarding independent claim 13, Explorer teaches a pc computer system for storing file directories, and their respective names or textual strings (fig.1).

Moreover, Explorer teaches the inputting of commands to the computer using a keyboard or mouse used to select menus and directory files.

Moreover, Explorer discloses sorting of the directory strings retrieved from the computer through the selection of a menu selection such as "List" option, and displaying the sorted result on the display (fig.2-4).

Claims 14-24 are directed towards a computer system for implementing the steps found in claims 1-10, and 11-12 respectively, and therefore are similarly rejected.

Regarding claim 25, which depends on any of claims 13-24, Explorer teaches a pc computer system for storing file directories, and their respective names or textual strings (fig.1).

Conclusion

- I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bobrow et al. (Pat. # 6,562,077), and Zhou et al. (Pat. # 5,533,180).
- II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is **(703) 306-5543**. The

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examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. However, in such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

- (703) 703-872-9306, (for all Formal communications intended for entry)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).



CESAR B PAULA
Patent Examiner
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6/28/04